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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/588,963	06/07/2000	Frank J. Bogart	18-3-1-4-1	9863

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EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/588,963

Applicant(s)

BOGART ET AL.

Examiner

Akiba K Robinson-Boyce

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1. Due to communications filed 6/7/00, the following is a non-final first action on the merits. Claims 1-13 are pending in this application and have been rejected as follows.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Miloslavsky (US 6,021,428), as cited by applicant.

As per claims 1, 13, Miloslavsky discloses:

A contact layer comprising a plurality of communications media with customers of a business served by the customer care center, each handler adapted to handle a specific one or more of the media, and including connecting the contacts to resources for servicing, collecting and reporting events including contact and resource status, and handing the events and assigning the resources according to received directions, (Col. 22, lines 1-8, [first layer]);

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A communications layer comprising software for managing media in a media-independent manner, including allocating resources shared by a plurality of handlers and directing handling of events by the contact layer according to business information, and tracking an accumulating events reported by the contact layer, (Col. 22, lines 5-7, [second layer]); and

A business layer comprising software for managing business services by supplying business information that defines the services to the communications layer, [third layer]).

As per claim 2, Miloslavsky discloses:

The contact layer manages resources that are not shared by a plurality of handlers, (Col. 22, lines 3-5, [different capability and interface procedure]).

As per claim 3, Miloslavsky discloses:

Each handler manage the unshared resources that are allocated to that handler, (Col. 22, lines 5-7 , [communicates and controls an associated switch])

As per claim 4, Miloslavsky discloses:

The communications layer comprises no media-specific equipment, (Col. 1, lines 16-21, [all multi-media communication]).

As per claim 5, Miloslavsky discloses:

The communications layer software further directs handling of events according to the accumulated reported events, (Col. 23, lines 43-47, [accumulated information]).

As per claim 6, Miloslavsky discloses:

The communications layer software provides information on the accumulated reported events to the business layer, (Col. 24, lines 40-42, [providing statistics to the requesting application]).

As per claim 7, Miloslavsky discloses:

The business layer software manages business services by managing transactions each comprising one or more communications and that provide the business services, by defining business rules and applying them to the transaction to develop dialogs which it supplies to the communications layer, (Col. 38, lines 28-44, [where the communication is represented by the e-mail]);

The communications layer software translates the supplied dialogs into translations that it users to control the contact layer and translations that it supplies to the contact layer, (Col. 37, lines 63-65, [translating commands]);

The handlers of the contact layer use the translations supplied thereto to manage the contacts, (Col. 38, lines 45-53, [passing the instructions through the deformatter prior to the support person receiving the email]).

As per claim 8, Miloslavsky discloses:

The business layer software supplies to the communications layer definitions of reports requested by the business and forms the reports from data collected by the communications layer, (Col. 34, lines 12-16, [reporting for an agent to all requesting clients depending on parameters sent by clients]).

The following is inherent with Miloslavsky's system since Miloslavsky discloses that if the database were designed strictly for e-mail applications, then there would be

no need for a deformatter. Therefore one can conclude that outside of e-mail applications, i.e. all multimedia applications, the deformatter for translation purposes would be needed by the database:

The communications layer software translates the definitions of the reports into database schema that accommodate data that the communications layer must collect for those reports,

As per claim 9, Miloslavsky discloses:

The business rules include resource scheduling rules, resource behavior rules , service target rules, and customer treatment rules, (Col. 38, lines 29-35, [rules]).

As per claim 10, Miloslavsky discloses:

The business layer software further has access to customer data which it applies to the transactions to develop the dialog, (col. 5, lines 3-8, [user data channels]).

As per claim 11, Miloslavsky discloses:

The business layer software effects scheduling and adherence tracking of resources by providing business information to the communications layer and obtaining accumulated reported events from the communications layer, (Col. 24, lines 40-42, [providing statistics to the requesting application]).

As per claim 12, Miloslavsky discloses:


The business layer provides an interface for the business to the customer care center for providing information to and obtaining information from the customer care center, (Col. 25, lines 27-29, [call center interface unit]).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 703-305-1340. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


A. R. B.
October 31, 2003


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600